

In re Patent Application of
DELLMO ET AL.
Serial No. 09/761,173
Filed: JANUARY 16, 2001

REMARKS

Applicants would like to thank the Examiner for the thorough examination of the present application.

In view of the arguments presented in detail below, it is submitted that all of the claims are patentable.

I. The Claimed Invention

Independent Claim 1, for example, is directed to a secure wireless local area network (LAN) device including a housing, a wireless transceiver carried by the housing, and a media access controller (MAC) carried by the housing. The device further including a cryptography circuit carried by the housing and connected to the MAC and the wireless transceiver, and the cryptography circuit operating using cryptography information and rendering unuseable the cryptography information based upon tampering. Independent Claim 13 is similar to Claim 1 and recites at least one connector carried by the housing for connecting to at least one of a LAN station and a LAN access point instead of the MAC. Independent Claim 24 is also similar to Claim 1, and the cryptography circuit includes at least one volatile memory for storing the cryptography information, and a battery for maintaining the cryptography information in the at least one volatile memory.

Independent Claim 30 is similar to Claim 13, and the cryptography circuit includes at least one volatile memory for storing the cryptography information, and a battery for maintaining the cryptography information in the at least one volatile memory. Independent Claim 36 is directed to a secure wireless local area network (LAN) system including a plurality

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of LAN devices each including the cryptography circuit. Independent Claim 46 is directed to a method of storing cryptography information in the cryptography circuit.

II. The Claimed Invention is Patentable

The Examiner rejected independent Claims 1, 13, 24, 30, 36, and 46 as unpatentable over the Treadaway et al. '477 patent in view of the Schneck et al. application, and the Bambridge et al. patent. The Treadaway et al. '477 patent discloses a secure wireless LAN including a transceiver, a MAC, and a cryptography circuit. The Examiner correctly recognized that the Treadaway et al. '477 patent fails to disclose a cryptography circuit that renders unusable the cryptography information based upon tampering, but cites the Schneck et al. application as providing such. The Schneck et al. application discloses a "tamper detection mechanism that causes the rules, cryptographic data, and decrypted protected data to be destroyed." (Paragraph [0067]). However, there is no proper motivation to combine the two references.

The Treadaway et al. '477 patent discloses a secure wireless LAN in which the Ethernet data packets to be transmitted over the link 102 are encrypted by the encryption/decryption block 612. (Column 23, lines 47-56). In other words, the data comes into the MAC 222 of the outdoor unit 104 via cable 556 (FIG. 15) in an unencrypted state. Consequently, there is no motivation to add the tamper detection mechanism of the Schneck et al. application to the outdoor housing in the Treadaway et al. '477 patent because the unencrypted data in the cable 556 would provide an easy

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way to circumvent such a tamper detection mechanism. In other words, the Examiner's proposed combination is like attempting to stop water through a sieve by plugging a single opening.

In addition, the Examiner cites Bambridge et al. patent as disclosing a MAC board mounted within a housing. (Column 5, lines 26-45). As the Bambridge et al. patent fails to provide a cryptography circuit that renders unusable the cryptography information based upon tampering, the Bambridge et al. patent adds nothing to the deficiencies of the Treadaway et al. '477 patent and the Schneck et al. application.

Consequently, it is respectfully submitted that the Examiner is using impermissible hindsight, gleaned from the Applicants' own specification, as motivation to selectively combine disjoint pieces of the prior art to produce the claimed invention. There is simply no proper motivation in the prior art to selectively combine bits and pieces from the three cited prior art references.

Accordingly, independent Claims 1, 13, 24, 30, 36, and 46 are patentable. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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CONCLUSIONS

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 22nd day of November, 2004.

